

Rec'd 11/30/06
CLBPROB 12C
Rev 2/03**United States District Court****for****Southern District of Ohio****Supplemental Petition for Warrant or Summons for Offender Under Supervision**Name of Offender: **Thomas Dwayne Phelps**Case Number: **1:02CR00126**Name of Sentencing Judicial Officer: **The Honorable Herman J. Weber , United States Senior District Judge**Date of Original Sentence: **March 7, 2003**Original Offense: **Possession of a Firearm by a Convicted Felon**Original Sentence: **33 month(s) prison, 36 month(s) supervised release**Type of Supervision: **Term Of Supv Rel**Date Supervision Commenced: **February 14, 2005**Assistant U.S. Attorney: **Anthony Springer**Defense Attorney: **W. Kelly Johnson****PETITIONING THE COURT**

- ☐ To issue a warrant
☒ To issue an Order to Appear and Show Cause
☐ To grant an exception to revocation without a hearing.

Violation NumberNature of Noncompliance

#1

On November 13, 2006, the offender reported to the Probation Office and submitted to urinalysis testing. The sample returned positive for Marijuana on November 16, 2006.

U.S. Probation Officer Recommendation: It is therefore requested that this violation petition supplement and be added as an additional violation for which the offender must show cause as to why his supervision should not be revoked. It is noted that he currently has a pending Revocation hearing scheduled for Wednesday, January 17, 2007 at 10:00 a.m.

The term of supervision should be

- ☒ Revoked.
☐ Extended for years, for a total term of years.
☐ Continued based upon the exception to revocation under 18 USC 3563(e) or 3583(d)
☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

Submitted by


Michelle Merrett
United States Probation Officer

Reviewed and Approved By,


John C. Cole
Supervising United States Probation Officer

Executed on November 29, 2006

THE COURT ORDERS:

- ☐ No Action
- ☐ The Court finds that there is probable cause to believe the defendant has violated the conditions of his/her probation/supervised release and orders the Issuance of a Warrant for his/her arrest.
- ☒ The Issuance of an Order to Appear and Show Cause
- ☐ The Court finds the defendant can benefit from continued substance abuse treatment and grants an exception to revocation. The supervision term of the defendant is continued under all original terms and conditions.
- ☐ Other


Signature of Judicial Officer

11/30/06
Date
